

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : **Chapter 13**
ERIC JONES
CELESTINE JONES
Debtors : **Bky. No. 14-17690 ELF**

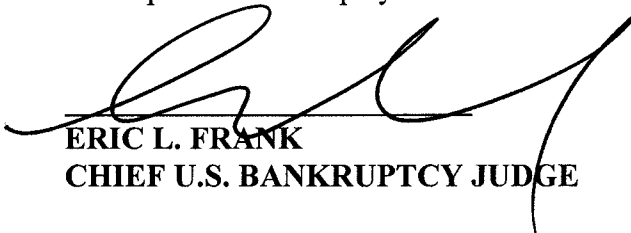
ORDER

AND NOW, WHEREAS:

- A. 11 U.S.C. §109(h)(1) requires that an individual may not be a debtor in a bankruptcy case unless, within the 180 day period before the filing of the bankruptcy petition, the individual has received an individual or group briefing from an approved nonprofit budget and credit counseling agency as described in 11 U.S.C. §111(a).
- B. 11 U.S.C. §109(h)(3) provides that a debtor may be exempted temporarily from the requirements of 11 U.S.C. §109(h)(1) for a thirty (30) day period after the filing of the petition if the debtor submits a Certification which satisfies the requirements of 11 U.S.C. §109(h)(3)(A)(i), (ii) and (iii).
- C. 11 U.S.C. §109(h)(4) provides that, after a notice and hearing, the court may determine that the requirements of 11 U.S.C. §109(h)(1) shall not apply to a debtor because of incapacity, disability, or active military duty in a military combat zone.
- D. The court held a hearing to consider whether the Debtors are eligible to be a debtor in this bankruptcy proceeding under title 11 of the U.S. Code.
- E. It appears that the Debtors filed the bankruptcy petition in this case without receiving a prepetition credit briefing as required by 11 U.S.C. §109(h)(1) and has not filed a Certification which satisfies the requirements of 11 U.S.C. §109(h)(3)(A)(i), (ii) and (iii) and has not made a request for a determination under 11 U.S.C. §109(h)(4), and therefore is not eligible to be a bankruptcy debtor,

It is therefore **ORDERED** that the above captioned bankruptcy case is **DISMISSED**.

Date: October 20, 2014


ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE

cc: Eric Jones
Celestine Jones
7761 Bennett Road
Wyncote, PA 19095